

Senate File 401 - Introduced

SENATE FILE 401
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1030)

A BILL FOR

1 An Act relating to the penalty for the unlawful practice of
2 dentistry.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 153.17, Code 2011, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **153.17 Unlawful practice.**

4 1. A person who engages in the practice of dental hygiene
5 without a license or who violates section 147.84 or 147.85 in
6 connection with a license to practice dental hygiene commits
7 a fraudulent practice or a serious misdemeanor as provided in
8 sections 147.84 through 147.86.

9 2. A person who engages in the practice of dentistry or
10 dental surgery without a license or who violates section 147.84
11 or 147.85 in connection with a license to practice dentistry
12 commits a class "D" felony.

13 3. This section does not apply to a person who fails to
14 renew the person's license within an established grace period.

15 EXPLANATION

16 Current law provides the same penalty for unlawful
17 practice by either a dentist or dental hygienist — a serious
18 misdemeanor. This bill provides that practicing dentistry or
19 dental surgery without a license or violating the provisions of
20 Code section 147.84 or 147.85 in connection with a license to
21 practice dentistry commits a class "D" felony. Code sections
22 147.84 and 147.85 relate to providing forged or fraudulent
23 documents in connection with professional practices and
24 licensing.

25 As provided in Code section 902.9(5), a class "D" felony is
26 punishable by confinement for no more than five years and a
27 fine of at least \$750 but not more than \$7,500.